

Minute of Meeting



Midlothian Council
Tuesday 12 November 2024
Item No 5.1

Midlothian Council

Date	Time	Venue
Tuesday 8 October 2024	11:00 am	Council Chambers, Midlothian House/Hybrid

Present:

Provost McCall (Chair)	Deputy Provost Bowen
Councillor Parry (Council Leader)	Councillor Cassidy (Depute Council Leader)
Councillor Alexander (attended virtually)	Councillor Curran
Councillor Drummond (attended virtually)	Councillor Imrie
Councillor McEwan	Councillor McKenzie
Councillor McManus	Councillor Milligan
Councillor Pottinger (attended virtually)	Councillor Russell
Councillor Scott	Councillor Small
Councillor Virgo	Councillor Winchester (attended virtually)

Religious Representatives:

Anne-Theresa Lawrie	
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In attendance:

Dr Grace Vickers, Chief Executive	Kevin Anderson, Executive Director Place
Fiona Robertson, Executive Director Children, Young People and Partnerships	Morag Barrow, Director of Health & Social Care: Midlothian HSCP / Chief Officer to Midlothian IJB
Alan Turpie, Legal and Governance Manager / Monitoring Officer	David Gladwin, Chief Financial Officer (Section 95 Officer)

Fiona Clandillon, Head of Development, Capital and Entrepreneurial Projects	Michelle Strong, Education Chief Operating Officer
Joan Tranent, Chief Officer Children's Services, Communities and Partnerships and Chief Social Work Officer	Derek Oliver, Chief Officer Place
Iina Jaara, Democratic Services Team Leader	Janet Ritchie, Democratic Services Officer
Maria Perez, Democratic Services Officer	

1. Welcome, Introductions and Apologies

The Provost welcomed everyone to this meeting of the Midlothian Council and advised that the meeting was open to the public and would be webcast live.

There were no apologies received for this meeting.

The Provost welcomed two new members of Democratic Services staff, Iina Jaara and Maria Perez.

The Provost noted that Elizabeth Jones had retired after 36 years of service at St Davids Primary. The Provost noted how lovely it was to see messages on the school's social media from current and past pupils to congratulate Mrs Jones and share their memories of her. The Provost wished Mrs Jones a long and happy retirement.

The Provost also noted that this was the final Council meeting for Joan Tranent who is retiring from her position as Chief Officer Children's Services, Communities and Partnerships and Chief Social Work Officer. The Provost thanked Joan Tranent for her 23 years of service in Social Work, 12 of which were with Midlothian Council, and congratulated Nick Clater who will take on the role of Chief Social Work Officer. Members joined the Provost in wishing Joan Tranent a long and happy retirement.

The Provost also congratulated the Bonnyrigg Rose Women's FC on reaching the second round of the Women's Scottish Football Cup and expressed delight at seeing women and girls succeed in the sport, noting how until recently there was no opportunity for women to play football competitively. The Provost wished the team good luck on their next fixture against St Mirren on November 3rd.

2. Order of Business

The order of business was as per the agenda previously circulated.

3. Declarations of interest

None.

4. Deputations

None.

5. Minutes of Previous Meetings

Item No.	Report Title	Submitted by:
5.1	Minute of Midlothian Council of 27 August 2024	Executive Director Place

Outline and Summary of Discussion

The Minute of the Meeting of Midlothian Council held on the 27 August 2024 was submitted for approval.

A member noted that item 8.1 Financial Monitoring 2024/25 - General Fund Revenue, page 9 reads "It was stated that there needs to be better utilisation of the expensive machinery used for potholes and requested a report to come back to Council on its use/application". The member stated it had already been agreed this report would come back to Council and the use of this resource would be audited.

The member also noted that item 8.2 Housing Revenue Account – Revenue Budget and Capital Plan 2024/25 reads "there was a suggestion put forward that three ward members meet with the Executive Director Place" and stated this was already agreed rather than being a recommendation and requested that this was corrected in the minute of the meeting.

The Executive Director Place advised this would be actioned.

Councillor Parry moved to approve the minute of Midlothian Council 27 August 2024, seconded by Councillor Cassidy.

Decision

The Minute of the Meeting of Midlothian Council held on 27 August 2024 was approved with the above amendments.

Action

Democratic Services

Item No.	Report Title	Submitted by:
5.2	Minute Volume Index	Executive Director Place

Outline and Summary of Discussion

The Minute Volume Index was submitted for consideration.

Councillor Parry moved to approve the Minute Volume Index, seconded by Councillor Cassidy.

Decision

The Minute Volume Index submitted as part of the agenda items was approved.

Action

Item No.	Report Title	Submitted by:
5.3	Action Log	Executive Director Place
Outline and Summary of Discussion		
<p>The Action Log was submitted for consideration.</p> <p>It was noted that on item 14 of the log there is a typo as there is a reference to February 2024 which is likely to be 2025. The Executive Director Place confirmed that indeed this is a typo, and it would be amended.</p> <p>It was also noted that item 6 of the log states there is a report due in spring 2025 and asked whether this could be presented sooner. The Executive Director Place confirmed a completion date of winter 2024.</p> <p>Members noted that item 12 of the log there is an action for the Executive Director Children, Young People and Partnerships to send a letter to the Scottish Government with regards to the importance of SQA remaining at Shawfair, and asked whether there had been a response to this letter. The Executive Director Children, Young People and Partnerships confirmed that the letter is being drafted.</p> <p>Members noted that item number 4 (Tenancy Agreement) of the log is to be reported back to Council in November. It was suggested it will be helpful for the option paper on anti-social behaviour be presented to the different political groups for review before being presented to Council. The Executive Director Place clarified that a discussion on anti-social behaviour had been included as part of the recently delivered members' briefing, but this can be added to the action log and options paper drafted.</p>		
Decision		
The Action Log was approved with the above amendments.		
Action		
Democratic Services		

6. Questions to the Leader of the Council

None.

7. Motions

Report No.	Report Title	Submitted by:
7.1	Lodge Dalkeith Kilwinning no 10	Councillor Cassidy
Outline and Summary of Discussion		
<p>The Notice of Motion was proposed by Councillor Cassidy and seconded by Councillor Bowen.</p> <p>Councillor Cassidy stated that 2024 would mark a historic anniversary for Kilwinning lodge as it celebrates 300 years, making it one of oldest custom-built lodges in the world. Councillor Cassidy asked the Council to extend congratulations to the members of the lodge, noting he is aware through friends in the organisation of the charity work the lodge does and its commitment to the community.</p> <p>Councillor Bowen advised that while he is not a member, he recognises the positive impact of lodges in this community and seconded the motion.</p>		
Decision		
<p>The Council approved the motion to recognise Lodge Dalkeith Kilwinning no 10 on their 300 anniversary and their merits to the community.</p>		
Action		

8. Reports

Report No.	Report Title	Submitted by:
8.1	Medium Term Financial Strategy – 2025/26 to 2028/29	Chief Financial Officer/ Section 95 Officer
Outline and Summary of Discussion		
<p>The Chief Financial Officer/Section 95 Officer presented the report.</p> <p>The purpose of this report is to provide Council with the Medium-Term Financial Strategy (MTFS) for the financial years 2025/26 to 2028/29 amidst the continuing backdrop of a challenging financial outlook. This was presented in June with assumptions at that time and these are presented again in section 3.1.</p> <p>A draft Local Government settlement is expected on 12 December 2024 which is likely to only provide figures for one year but the conversation regarding multiyear settlements is ongoing. The Chief Financial Officer stated that because of the expected date of the Scottish Budget and the date of December Council, it may be too early to present anything except a verbal update at the December Council meeting on the budget settlement and impacts for Midlothian.</p> <p>The Chief Financial Officer also referred to savings highlighted in the transformation blueprint, stating that additional savings options are needed. Engagement with members at political group level is taking place, but other consultations will be</p>		

necessary. A proposed online public consultation on the Council's budget will go live tomorrow and will run until 20 November (if the report is approved today). This consultation will look at proposed saving options, Council Tax increases and proposals to stimulate growth and revenue.

The Chief Financial Officer asked the Council to approve the recommendations on the consultation and the report recommendations A to D.

The Provost thanked the Chief Financial Officer for the report and opened it up for questions.

Members stated that there are bold choices in the consultation and whilst the settlement figure is unknown, the Scottish Fiscal Commission's report highlights Scottish Government budget pressures are as a result of UK Government decisions. The report highlights additional pressures that will lead to overspend at both a UK and Scottish level due to inflation. It was acknowledged that figures paint a grim picture ahead, but people should not be made to feel like the Council has given up as there has been contact made with both the Prime Minister and Chancellor of the Exchequer to request additional funding for Scottish Local Authorities and Capital Funding for Midlothian. The same approach has been taken with the Scottish Government.

Members stated that with the proposed shortfall of £9.4m the majority of the Council's statutory services will struggle to cope and warned that this figure is contingent in assuming Council Tax will go up and the expected settlement will be received from the Scottish Government. Assuming a modest raise to the IJB budget to make up for inflation, Health and Social Care will struggle and be forced to make difficult decisions. Councillor Milligan requested an amendment to the report that different services investigate additional cuts and savings to bridge the £3.4m gap and that their proposals are presented to the elected members to approve a second tranche of savings which should also go into public consultation.

Members also noted that Council Tax has gone up 2% a year and 22% over 10 years, while Retail Price Index has gone up over 55% so there is a huge gap as the government grant has only gone up 33% in the same period. Unfortunately, Council finances are very reliant on the settlement, and due to UK Government or Scottish Government decisions the amount of this grant has reduced compared to size and scale of growth of Midlothian.

Councillor Imrie formally seconded Councillor Milligan's amendment. He added that if options are given in the consultation the Council should have wriggle room t, but this may be tricky given the difficulties local government has had in the past to secure funds from the Scottish Government. Members cited the difficulties to cover the pay awards as an example and how the Scottish Government finally accepted there was no money in local government to cover these increases.

It was argued by some members that the Council was guilty of not prioritising income generation in the past but with Destination Hillend the Council has taken a massive step in this direction. Once the trial phase is over and the alpine coaster is fully up and running income will be generated. This is only one small project but with

correctly managed projects it is possible Midlothian could generate sufficient money to bridge the gap.

Attendees were reminded that in the run up to the general election Rishi Sunak announced additional grants for local government and wondered whether the new Labour Government would honour it i.e., in the case of Mayfield. Members asked whether it would be possible to contact the MP at Westminster to check if this additional funding of £21m is going to be forthcoming. Councillor Parry responded that she had written to both the Midlothian MP and the Secretary of State for Scotland and had received some brief correspondence back. (Post meeting note – letters are appended to the minute of the meeting).

It was stated that the consultation should also highlight investing more in Midlothian to maximise income or generate savings in the longer run although this will have a financial short-term burden.

Context regarding the budget gap of the IJB was provided and members were advised of the ongoing work with officers in the Council and other agencies to tighten the budget. Members were informed that the point has been reached where the Integration Joint Board has used all its reserves.

Members supported the proposed amendment but stated that there may not be enough time to bring this before the next Council meeting.

Moved by Councillor Milligan, seconded by Councillor Imrie.

Decision

The Council accepted the recommendations set in the report with the amendment proposed by Councillor Milligan.

Action

Chief Financial Officer

Report No.	Report Title	Submitted by:
8.2	Education Annual Plan and Report	Executive Director Children, Young People and Partnerships

Outline and Summary of Discussion

The Education Chief Operating Officer presented the report. The Education Service has the obligation to present an annual report detailing the actions taken to improve quality of education and tackle inequality.

This plan is submitted for Scottish Ministers' approval, and it informs the development for the national improvement framework. For this reason, the report is very detailed, but a more concise version has been created to help families and other interested parties to understand what has been achieved so far in the academic session 2023/24 as well as the priorities for the forthcoming year. The plan also details targets until 2027 and is based on robust self-evaluation and consultation with stakeholders. The Education Chief Operating Officer asked that

the Progress report and Annual Plan are approved, and recognition is given to all who have contributed to make it happen.

The Provost thanked the Education Chief Operating Officer for the report and opened it up for questions and comments.

Members praised the report as very comprehensive. The abridged version was very helpful and accessible. It was noted that learners appear to be doing consistently better in numeracy than in literacy and asked if it could be possible to research the reasons behind this. Members should consider that the school meals register does not count all of those entitled to school meals and for that reason the final figures on equality could be distorted. Members noted how the report shows the efforts made for pupils with Additional Support Needs to be able to sit exams but noted this requires a large space, so it would be desirable that this different use of school spaces is considered when discussing future developer contributions.

The Education Chief Operating Officer noted that there is ample research and data at both local and national level to explain why a lower percentage of children are attaining in literacy. That is one of the specific areas where Midlothian is tracking data and intervening to improve attainment. The Education Chief Operating Officer added that they would be happy to brief any member about the attempts made to tackle poverty outwith this meeting.

Members thanked all involved in the successes of the year and compilation of plan. A member explained that this plan underpins the great work done and stated they are proud of Midlothian's Education Services as an elected member and as a parent. However, it was noted that as well as encouraging skills and confidence among teachers, wellbeing should also be addressed as a priority, in an explicit rather than implicit manner.

The Education Chief Operating Officer agreed that the wellbeing of staff is critical to the delivery of the service, and that it is crucial to recruit and retain the best by investing on staff development. The Education Service have promoted wellbeing among staff in conjunction with unions and teaching organisations and advised that they would be happy to reflect this on the next iteration of the plan.

Councillor Scott moved the recommendations in the plan, seconded by Councillor Virgo.

Decision

The Council approved the recommendations in the Education Annual Plan

Action

Report No.	Report Title	Submitted by:
8.3	Chief Social Work Officer Annual Report 2023/24	Chief Social Work Officer and Chief Officer Children's Services,

Outline and Summary of Discussion		
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The Chief Social Work Officer and Chief Officer Children's Services, Communities and Partnerships presented the annual report.

The Chief Social Work Officer noted that the Social Work and Social Care landscape is challenging and commended the hard work done by all staff. The focus of the department is to protect and support the client base under the constant scrutiny of inspections, of which there have been many with good results. The Chief Social Work Officer stressed that as a small local authority, the Social Work Department go above and beyond the call of duty and improve outcomes for Midlothian residents. The Chief Social Work Officer stated that that they have every confidence that Nick Clater will be successful when they take over the role as Chief Social Work Officer. The Chief Social Work Officer advised that it was an honour to have served in the post and asked that recognition is given to all services for the work that has taken place in this annual report and a copy of the report is put in the council website.

The Chief Executive expressed their gratitude to the Chief Social Work Officer for a job well done and acknowledged their role in protecting those most vulnerable and transforming Children's Services to the point where most areas of the service are rated as performing as good or above and having outstanding results in inspection reports.

A member stated reading the Chief Social Work Officer's annual report made them realise the local authority had been lucky to have someone so committed and showing such great passion for their work at the helm of Social Work Services, and whose heart was always in Midlothian. The Chief Social Work Officer's report mentioned areas with poor employment rates, low income, lower life expectancy and poor access to amenities. The issues with those areas have been known to Council for many years so the Chief Social Work Officer was asked what resources would be needed to make changes to these.

The Chief Social Work Officer noted that the Social Worker shortage is a challenge seen at a national level, but Midlothian Council is fortunate in having a good level of staff retention.

Another member thanked the Chief Social Work Officer for their dedication and hard work, and stated their work in community planning and reducing violence against women and girls should be celebrated.

It was highlighted from the report that the feedback from the mothers who are supported by Hawthorn Family Learning Centre is good, and members asked if there are plans to develop the income maximisation tools offered to its users further as one of the key strands. The Chief Social Work Officer stated Hawthorn supports 85 children and their families every week, and that income maximisation is a way to ensure families can receive the benefits they are entitled to. This approach is now routinely used in other areas like Child Protection and Adult Services.

Councillor Virgo echoed the sentiment expressed by other elected members and noted the Chief Social Work Officer's confidence in their steering of the service with a firm grasp on reality and challenges faced.

Councillor Milligan expressed appreciation for the work done by the Chief Social Work Officer during their long and successful career and added that it had been a pleasure to work with them. Councillor Milligan noted how the demands of the job have evolved over time to include supporting refugees as well as introducing trauma informed approaches.

Councillor Alexander echoed the good wishes given by the other elected members and wished the Chief Social Work Officer an enjoyable retirement. Councillor Alexander asked the Chief Social Work Officer to clarify if income maximisation will be offered to extended family members as feedback is that many grandparents are struggling financially. The Chief Social Worker explained that when it comes to income maximisation the department works with the information the families choose to share, but that these concerns can be fed back to the next post holder, so grandparents are considered, however did raise that the number of Welfare Rights Officers is limited. It was clarified that if the grandparents have kinship care duties, they are always offered an income maximisation assessment.

Councillor Scott moved to approve the recommendations in the annual report, seconded by Councillor Virgo.

The Provost reiterated the good wishes and thanks from other elected members and wished the Chief Social Work Officer a happy retirement.

Decision

The Council approved the annual progress report.

Action

Report No.	Report Title	Submitted by:
8.4	Rapid Rehousing Transition Plan 2023/24-2024/25	Executive Director Place

Outline and Summary of Discussion

The report was presented by the Chief Officer Place. This report presents the annual review of Midlothian Council's progress in delivering the Rapid Rehousing Transition Plan (RRTP), and the challenges facing housing and homelessness services. The RRTP is due to be submitted to the Scottish Government in October 2024. In 2023-24 the Council has continued to make significant progress in providing services to households experiencing homelessness or those that are at risk of homelessness. Pressure on the Council's homeless service has grown, and a 28% increase in homeless assistance applications compared to the previous year has been reported.

The Provost thanked the Chief Officer Place for the report and opened the meeting for questions and comments.

Members thanked the Chief Officer Place for the detailed report and acknowledged the growing pressure on the Council's homeless service. It was highlighted that the Council lobbies the Scottish Government for additional funding every year.

A member asked if there is a link between how effective the plan is and the number of housing applications which continue to increase, and if the council could prioritise local applicants. The Chief Officer Place responded that new legislation allows applicants to be referred to any local authority. Members asked if any progress has been made in the delivery of the schools' education homeless prevention program. The Chief Officer Place said that sessions should hopefully be delivered during this academic year.

It was suggested that Council speaks with Edinburgh Council regarding the homeless support applications Midlothian are receiving, and how that is affecting the council. The Chief Officer Place said that this may be difficult with the current legislation.

The Council noted the contents of the paper and the recommendations.

Decision

The Council noted the recommendations as set out in the report.

Action

Executive Director Place

Report No.	Report Title	Submitted by:
8.5	Midlothian Council's Housing Services Assurance Statement 2024	Executive Director Place

Outline and Summary of Discussion

The report was presented by Executive Director Place. The purpose of the report is to comply with the Scottish Housing Regulator's Regulatory Framework. The Council must approve and submit an AAS each year providing assurance that it is meeting legislative and regulatory standards for social housing in Scotland. This report explains the Regulatory Framework and appends an Assurance Statement for approval by Council. The AAS confirms the Council fully meets the SHR required standards and outcomes. Following Council approval, the AAS will be published on the SHR and Midlothian Council's websites.

Council is recommended to approve the Annual Assurance Statement (AAS), attached at Appendix 1, for submission to the Scottish Housing Regulator (SHR) by 31 October 2024.

The Provost thanked the Chief Officer Place for the report and opened it up for questions and comments. No questions were asked.

The paper was moved by Councillor Curran and seconded by Councillor Parry.

Decision

The Council noted the contents of the report.

Action

Executive Director Place

Report No.	Report Title	Submitted by:
8.6	Midlothian Strategic Housing Investment Plan 2025/26 – 2029/30	Executive Director Place

Outline and Summary of Discussion

The report was presented by Head of Development, Capital and Entrepreneurial Projects. The report summarises the key points set out in Midlothian's Strategic Housing Investment Plan (SHIP) 2025/26 – 2029/30. SHIP is submitted to the Scottish Government annually as the Scottish Government requires detail on the Affordable Housing Supply Programme in each regional area towards meeting the national target of supporting the development of new affordable homes. Council is recommended to approve the Strategic Housing Investment Plan (SHIP) 2025/26 – 2029/30, which will be submitted to the Scottish Government in October 2024 to meet the required date.

The Provost thanked the Head of Development for the report and opened the item for questions and comments.

Members noted the record number of houses being built mentioned in the report and passed thanks to the people working on building sites across the county. Members mentioned that this report gives the Council the flexibility needed for social housing. A member mentioned Normandy Court and the need to update tenancy agreements to reduce antisocial behaviour. An update on two sites at Danderhall was requested.

The Executive Director Place responded that a site visit had been organised at Normandy Court and work is ongoing to address antisocial behaviour through tenancy agreements and a further update should follow soon. Members were hopeful that the Council can be flexible with the age demographic prioritised in the allocation of these houses.

The Head of Development mentioned that the Stewart Milne site has been taken on by a new developer, and further information will follow. Progress on the Danderhall site is imminent.

A member raised concerns regarding the modelling not giving Midlothian the ability to build the mentioned amount of Council houses. The Head of Development responded by highlighting that the report states that not all the projects are funded, and that funding prioritisation needs to be reviewed annually. The Executive Director

Place also mentioned that Midlothian does not have a rent freeze but a rent strategy which will be reviewed next year. Buying of ex-Council homes is a different project.

Members asked about Golden Share properties. The Head of Development explained that this is a discounted sale, and the Council does have Golden Share properties within its housing stock. It was also suggested that the Council looks beyond ex-Council properties when purchasing properties to add to the housing stock. The Head of Development clarified that the open market equity scheme is operated by the Scottish Government and is not the purchase of homes that the Council builds

The Head of Development confirmed that the Council should have an update on the Danderhall Primary School plot soon. Members asked for an update on the Newtongrange development which may affect the local community garden. The Head of Development said responses from consultees are still pending, and that the design needs to be finalised and brought back to the community. An update should be available before Christmas.

Paper moved by Councillor McKenzie and seconded by Councillor Curran.

Decision

The Council approved the recommendations as stated in the report.

Action

Report No.	Report Title	Submitted by:
8.7	Edinburgh and South East Scotland City Region Deal (ESESCRD) Annual Report 2023 – 2024	Executive Director Place

Outline and Summary of Discussion

The report was presented by the Executive Director Place. The report summarises the key findings on the appended City Region Deal Annual Report as approved by the City Region Deal Joint Committee on 6 September 2024. Each year, the City Region Deal Programme Management Office is required to produce an annual report to assess how well the City Region Deal is aligning towards the overall vision and inclusive growth outcomes for the city region. The Council is recommended to note the Edinburgh and South East Scotland City Region Deal (ESESCRD) Annual Report 2023-2024.

The Provost thanked the Executive Director Place for the report and opened the item for questions and comments.

Elected members were encouraged to view the six case studies mentioned. Concerns were expressed regarding the delayed Easter Bush development, which is also experiencing financial issues. Members also noted traffic congestion concerns in the Sheriffhall roundabout. Councillor Parry said she is happy to write to the Cabinet Secretary for Transport regarding development A720, the lack of

definitive answer on this, and share her previous letter to the UK Government on budget pressures.

Members requested for this document to be made available on the Council website in an accessible format. The Executive Director Place will action this. A member asked if the number of Midlothian students who have completed data courses is known. The Executive Director Place said that the data exists, and they can share this with members offline.

The report was moved by Councillor Imrie and seconded by Councillor Parry.

Decision

The Council notes the recommendations as detailed.

Councillor Parry's letter to the UK Government on budget pressures to be circulated.

Councillor Parry to write to the Cabinet Secretary for Transport regarding A270.

Action

Chief Officer Corporate Solutions
Councillor Parry/Democratic Services
Councillor Parry

9. Private

Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 6, 9 and 11 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:

There were no private reports for discussion.

Date of Next Meeting

The next meeting will be held on Tuesday 12th November 2024

The meeting concluded at 12:51.